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#8



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lisbeth Illum  
Serial No.: 08 / 065,676 Group No.: 1502  
Filed: May 21, 1993 Examiner: G. Kishore  
Subject: Small Particle Compositions for Intranasal  
Drug Delivery

RECEIVED GROUP 150  
JAN 12 1995

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

PETITION AND FEE FOR EXTENSION OF TIME (37 CFR 1.136(a))

1. This is a petition for an extension of the time for a total period of three months to

respond to the "final" office action dated June 20, 1994

(Indicate matter being extended)

NOTE:: "Extensions of Time in Patent Cases (Supplement Amendments)—If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE:: See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

2. A response in connection with the matter for which this extension is requested:

☐ is filed herewith.

☒ ~~has been~~ <sup>will be</sup> filed. (FWC Application)

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

FACSIMILE

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

Date: 12/15/94

☐ transmitted by facsimile to the Patent and Trademark Office

Signature

Susan E. Holloway

(type or print name of person certifying)

(Petition and Fee for Extension of Time (37 CFR 1.136(a) [11-2])—page 1 of 3)

(complete the following, if applicable)

NOTE:: The PTO accepts the filing of a continuing application as a response under 37 CFR 1.136 and 1.137. To facilitate processing in such a case the petition for extension of time should specifically refer to the filing of a continuing application and also include an express abandonment of the prior application conditioned upon the granting of the petition and the granting of a filing date to the continuing application. Notice of May 13, 1983, 1031 O.G. 11-12.

- ☒ The response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application.

3. Applicant is

- ☒ a small entity. A verified statement:
- ☐ is attached.
- ☒ was already filed.
- ☐ other than a small entity.

4. Calculation of extension fee (37 CFR 1.17(a)—(d)):

<u>Total months requested</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 360.00	\$180.00
<input checked="" type="checkbox"/> three months	\$ 840.00	<del>\$420.00</del> \$435.00
<input type="checkbox"/> four months	\$1,320.00	\$660.00
		Fee \$ <u>435.00</u>

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request

\$ 435.00

5. Extended period for response

Based on the extension requested in this petition (and that for which a previous petition has been filed, if any) the extended period for response will expire on December 20, 1994  
(date)

6. Fee Payment

NOTE:: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986; 1065 O.G. 31-33.

- ☒ Attached is a check in the sum of \$ 435.00
- ☒ Charge Account 12-2147 for any additional extension and/or fee required or credit for any excess fee paid.

- ☐ Charge fee to Account No. \_\_\_\_\_ and this is a request to charge for any additional extension and/or fee required or credit for any excess fee paid. A triplicate copy of this petition is attached.

Reg. No.: 37,132

Tel. No.: (617) 227-0700

Anne E. Fitzpatrick  
SIGNATURE OF ATTORNEY

Anne E. Fitzpatrick

*(type or print name of attorney)*

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